October 22.

Government has issued orders for surrounding the coast of Ireland with signal posts, to be commanded by lieutenants, similar to the establishment of signal posts in England; they have also given directions for the equipment of a great number of small craft, to be employed under the command of lord Gardner, for the defence of that part of the united kingdom.

In consequence of the capture of two of the Lisbon packets, orders have been sent down to Falmouth, that the Lisbon packet which is now there, shall not sail until a frigate be appointed to accompany her.

October 25.

We have been informed this morning that general Moreau has accepted the command of the expedition, and that gen. Macdonald has been appointed second in command. It is said that the former is to command the division destined against England, and Macdonald the force to be sent against Ireland. Perhaps his name has not a little influenced Bonaparte in appointing him to the expedition. The nomination of Moreau will surprise most of our readers—They conceived, that he was averse to the enterprise, and that a great degree of jealousy subsisted between him and Bonaparte: they were taught to believe, that he was even disaffected to the consular government, and that his principles favored a monarchical constitution. However that may be, we have been informed, in a very positive manner, that he has consented to accept the command of the expedition.

Bonaparte may have been induced to appoint Moreau from a knowledge of the general opinion entertained here that the character of the latter is moderate and merciful. He knows full well the hatred in which the characters of such ruffians as Massena and Augereau, are held, and he may think that the appointment of Moreau may do away or diminish the impression we have received with respect to the conduct and atrocities of the French soldiers.

For Moreau, his master, and his slaves, it is with pride we say, we are fully prepared. Ireland possesses at the present moment, a formidable force, which is immediately to be encreased. Stores and ammunition to a considerable extent are forthwith to be sent, and the squadron of ships on the station is to be reinforced. Signal posts are to be erected all along the coast, and every necessary preparation to be made.

Here we are in a state of perfect preparation.

Orders have been issued by government for the immediate erection of fire beacons, about ten feet high, to be composed of various combustibles, on the principal eminences in Sussex.

A Morning paper states that orders have been given, which are nearly completed, for the making of a new Royal Standard of England, with which we are assured our Gracious Sovereign himself has declared his determination to take the field at the head of his armies, should the enemy succeed in making a landing in his country.

An American gentleman from Holland, reports that the tenth demi-brigade had positively refused to volunteer their services for the invasion of England; and that in consequence of this they had been sent to the Banks of the Rhine as a mark of degradation.

We have already stated that Jersey is expected to be one of the first objects of the enemy's attack. Some frigates from the Downs, and three bomb vessels from Sheerness, have, within these few days, received orders to sail immediately for that island.

An express arrived at Portsmouth on Sunday morning early to the Custom-house, and to Admiral Sir J. Colpoys, Bart. K. B. Port Admiral, to lay an embargo on all Spanish and Portuguese vessels in that port, and on all vessels bound to any port in Spain and Portugal. The necessary orders were immediately issued to all our cruizers and letters of marque. Of course a Spanish and Portuguese war is inevitable, to the great joy of all our jolly tars and royal mariners.

October 26.

On Saturday last it was rumoured in Dublin, upon the authority of letters from Sligo, Mayo, and Galway, that a French fleet had anchored in Mullowman bay, near Sligo. It was even added that they had landed troops. In order to remove any alarm that might be created by this rumour, Mr. Wickham wrote a letter to the Lord Mayor, informing his Lordship that the supposed fleet was only a small force of three British men of war, which had anchored in the above bay.

Russel was tried on Wednesday at Carrickfergus, and after a trial, which lasted the whole day, was found guilty, and ordered to be executed. He was executed on Friday.

Private advices from Holland, of a recent date, repeat the statement of the naval preparations in the ports of that country being in a very forward state, with the addition that a general embargo is hourly expected to take place; and express an confident opinion that the attempt to invade this country will very shortly be made.

The taking of the oaths of fidelity to the new government has occasioned considerable disturbance in the Canton of Berne. In the Commune d'Auvergne, the greater part refused to take the oath. About seven hours before the ceremony commenced, the people assembled in a tumultuous manner. A Mr. Egger pronounced the negative to the oath in his own name, and those of his adherents. The malcontents afterwards proceeded to the church, and declared, that till the rights of the Commune were secured, they could not take the oath of fidelity to government. This happened on the second September last, or the evening of which day they found means to introduce into the church a bottle of the essence of brimstone near the seat of the president, which filled it with a vapour so pestilential, that no one could remain in it.

An order of the government of the Little Canton of Zurich, for the suspension of the criminal code of Helvetia, has occasioned a great sensation in Switzerland, and many members of the inferior council have protested against it.

Letters received from the Island of St. Helena, by the country ship the Cambrian, lately arrived, say, that fresh disturbances have broke out at the Cape of Good-Hope; and that the governor, unable to reconcile the soldiery, had dispatched a vessel to the Isle of France to represent the situation of the garrison to the captain general of that Island.—Numbers of the garrison are stated to have been engaged by Gaika, the Caffre King, to serve in his army, in a grand expedition which he meditates against the Chiefs residing near the great Fish River. The consequence of these defections has been such as to induce the Council to issue orders to prevent any European from passing certain prescribed bounds, under pain of death. Provisions are extremely scarce at the Cape—and the cattle are generally driven off. The supply for the town is so scanty, and so unfrequent, that the people are put under allowance. It is impossible to trace the origin of the discontents. Some alledge it to be in the depravity of the soldiery—others to the imbecility of the government. The inhabitants are under the necessity of keeping guard at the several passes, to prevent further desertions. Several deserters have, however, been taken in the attempt.

The ships of war, upon the southern station of Ireland, none of whom are permitted to go more than six leagues from land, are the Thunderer, Majestic, Magnificent, and Ganges, 74 guns each, La Noire of 46 guns, Topaze 38, Apollo 36, Dryad 36, Euryalus 36, Galatea and Trent 32 guns each, Rosario 18, Argus and La Fleche 14, and two or three others.

From Liverpool, October 22.

The object of the present is to say, that we have intelligence this morning, that vessels have been prevented clearing out from London for Spain and Portugal, and that orders to that effect have reached this port.

A letter has been also received this morning from an intelligent man in London, who has a great deal to do with the commissioners of the customs, saying, that letters of Marque will be granted against Spain, on Wednesday next.

WASHINGTON CITY

WEDNESDAY, December 14.

On Monday the *Amendment to the Constitution* respecting the election of a President and Vice-President was reported to the House of Representatives by the committee of enrolment, when the speaker signed it, and the House passed a resolution requesting the President of the United States to transmit it to the several states. The Clerk of the House carried the amendment, with this resolution, to the Senate for concurrence. The Vice-President having signed the amendment, it was moved on the federal side of the Senate, that it should be sent to the President for his approbation. On this motion a debate ensued, which occupied the day. By the supporters of the motion, it was contended, contrary to all precedent, that the amendment required the approbation of the President.

On the question being taken by Yeas and Nays, the following gentlemen voted in the affirmative: Messrs. Adams, Hillhouse, Olcott, Pickering, Plumer, Tracey, and White.—Mr. Dayton was the only federal member who voted in the negative.—The Nays were 23.

The Senate then concurred in the resolution of the House of Representatives.

A more *extraordinary* motion was perhaps never submitted to Congress. Many amendments have been made under federal administrations, and such an idea as the necessity of the President's signature, never appears to have been before dreamt of.

Yesterday the bill for the repeal of the BANKRUPT LAW was under discussion. A motion was made to postpone its further consideration to the next session, on which, after much debate, the question was taken by Yeas and Nays, and carried in the negative. Yeas 13—Nays 17. This, we presume, may be considered as an evidence of the probable success of the repealing bill in the Senate.

Mr. Venable is elected Senator of the United States for Virginia, in the room of col. Taylor, who has declined a re-election.

James Turner, is re-elected Governor of North Carolina, without opposition.

Extract of a letter dated Natchez, Nov. 24, 1803.

"Every preparation is making to take immediate possession of Louisiana, about 300 and fifty militia of this territory, with every effective soldier at Fort Adams, are in readiness to descend to Orleans, and only await the arrival of General Wilkinson, who is not yet returned from the Mobile country—He is however expected daily—Should he not arrive soon, the other commissioner will descend without him. It is sincerely hoped no opposition will be made to our taking possession of Orleans, should there be, every individual in this territory, able to perform military duty, will descend immediately.

The troop of Dragoons and Natchez artillery are likely to turn out well."

MALIGNANT DISORDER AT MALAGA.

The following authentic particulars have been received from Malaga under date of the 8th Oct. last.

About the 23d Sept. reports were circulated there that in the suburbs and mole, some people had been carried off by malignant fevers, but as the mortality was inconsiderable and no precautionary measures were known to be taken by the Board of Health, much alarm was not taken: But in the beginning of October many died, and on the 7th of that month the Board of Health determined at a general meeting that the crews of the vessels in port should be all examined by physicians appointed for that purpose and such as had sick, or on board of which any person had died, should be immediately ordered out into the Bay. On the 8th of October this resolution was carried into effect and nearly twenty vessels of different nations, chiefly Danes and Swedes, were hauled out. The physicians had agreed that the disorder was of a contagious malignant nature resembling the yellow fever and accompanied with the black vomit. Several families had retired to the country. It was believed that it had made but little progress in the town, being chiefly confined to the suburbs, shipping in the mole and bay, and the hospital.

LEXINGTON, (Ken.) Nov. 22.

When the free navigation of the Mississippi was withheld from the citizens of the Western Country, we petitioned, we remonstrated, we offered to risk our lives and fortunes to acquire our natural right. When that right was secured to us by treaty, we sat down and contemplated with pleasure the growing importance of our country. But when the port of Orleans was again shut by the Spanish Intendant, we felt the indignation of injured and insulted freemen; and our confidence in the justice of the General Government only restrained us from immediate acts of violence—We were not disappointed in the prompt attention and exertions of that government. By a treaty with France New-Orleans and the Province of Louisiana were ceded to the United States. Spain has refused to deliver them up—and we must abandon them or fight.—The President has authorized our Government to hold in readiness 4000 men, to march and take possession. The government has done its part, it now remains for you, Citizen Soldiers, to perform yours. You have waited with patience the result of negociation—You have expressed your confidence in the General Government—You have pledged your lives and fortunes to support it in such a measure, as the honor and interest of the United States may require. Your country calls to arms—You must step forward and assert your rights.

On Saturday last Captain Wyatt's company of militia paraded in this town—34 men only mustered, 25 of whom enrolled themselves as volunteers.

Yesterday captain Postlethwait's company of Light Infantry paraded—24 men only were on parade, and 20 enrolled themselves.

Extract of a letter from the Honorable John Breckinridge, dated Nov. 1.

"The bill enabling the President to take possession of Louisiana, finally passed both Houses on Saturday last; and the bill creating stock will pass in the senate in two days; having passed the other House last week. The western members, from the best accounts they could obtain, were fearful there was some disposition in the Spanish government to withhold the possession of Orleans, and that our force in that quarter was not sufficient to take it. Under this impression, they were desirous that the President should send down, from Kentucky and Tennessee, 1500 or 2000 horsemen. This number has been thought more than sufficient by the government; but orders were dispatched last night to the governor of Tennessee to equip and march with all possible dispatch, 500 horsemen, to join our present force at the Natchez; which consists of the 400 regular troops; and about 700 or 800 militia from that territory. This force, it is judged, will be sufficient, unless the Spanish government should have gotten a reinforcement from the Havanna, and mean to make a vigorous opposition. The president does not believe this will be the case; but such an event is possible, and as the object to be obtained is so important, he will run no risks about it; and he has directed the governor of Kentucky to have immediately organized and held in readiness 4000 volunteers to march by the 20th of December, if necessary. Similar orders are given to the governors of Ohio and Tennessee—the first of 500, and the last for 1500 or 2000 men. With this force, we cannot fail of success.

"Should these volunteers be wanting, they are to go by water, and to continue in service four months if necessary.—Boats, provisions, and arms, if they cannot furnish themselves, will be supplied by the government, from a large stock now at the Natchez."

KENTUCKY LEGISLATURE.

The following resolution has passed both houses of the legislature.

IN GENERAL ASSEMBLY.

WHEREAS, by a resolution of the late General Assembly, the people of this commonwealth stand pledged to support at the expence of their lives and fortunes, such measures as the government of the United States might pursue, to secure to the citizens, not only the free and uninterrupted navigation of the Mississippi, but also a place of deposit for their produce on its banks. And whereas, by the treaty concluded with France, not only these objects have been secured, but a great acquisition of territory obtained, the future advantages of which are almost incalculable.

And whereas, the President of the United States has required the governor of this commonwealth to have in readiness by the twentieth of December next, four thousand militia volunteers, to serve in a four months expedition to Louisiana.

Resolved, That each non-commissioned officer and private, who shall voluntarily enter into service, and actually descend the river Mississippi, on the said expedition, in the said corps of volunteers, and shall serve out the time for which they shall be enlisted, unless sooner discharged, shall receive as a compensation in addition to the pay and emoluments provided by the law of the United States, a warrant for one hundred and fifty acres of land, which may be located on any waste and unappropriated land in this commonwealth, and a patent shall issue for the same, which shall be brought in to appropriate the said lands, and make provision accordingly.

PENNSYLVANIA LEGISLATURE.

To the Senate and House of Representatives of the General Assembly of the Commonwealth of Pennsylvania.

Gentlemen—

The bill intituled "An act to revive the act, intituled a supplement to the act intituled an act to extend the powers of the Justices of the Peace of this state" was presented to me on Saturday the 2d day of April last; but as the Legislature adjourned on the following Monday (when ten other bills were returned with the executive approbation) I had not an opportunity, during that session to bestow sufficient consideration upon its principles and provisions; particularly, as it was, in substance, the renewal of a legislative proposition to which I had formerly expressed my dissent; and I am always anxious, in a conflict of opinion, to pay a just deference to the wisdom of the General Assembly. I must now, however, confess, that the ample time for deliberation, which I have enjoyed in the recess, has operated to confirm the convictions of my judgment in relation to the unconstitutionality, the impolicy, the oppressive and pernicious tendency of this bill, and therefore, disapproving it, I have directed the secretary to return it to the House of Representatives in which it originated, with my objections; being, indeed, little more than a recapitulation of the reasons that have been assigned on similar occasions, and are already exhibited on the records of the Legislature. I object, then, to the bill's passing into a law,

1st. Because it appears to me to be unconstitutional. The constitution expressly guarantees to the citizens of Pennsylvania, "the trial by jury as heretofore." The trial by jury heretofore existed in civil, as well as in criminal cases; and on the exercise of an original, as well as of an appellate jurisdiction; except in mere matters of debt and contract, not exceeding the sum of *ten pounds*. But the bill under consideration, contemplates the perpetuation of legislative provisions, by which the trial of issues, in a great variety of transactions, as well of the nature of torts, as of contracts, is in the first instance withdrawn from a jury.

An attack upon the trial by jury, in civil cases, will afford to bad men, in worse times, a ready pretext for undermining the trial by jury in criminal cases; and nothing can more forcibly demonstrate the sense of the Union, in favour of establishing the trial by jury, as well in controversies between individuals, as in public prosecutions, than the opinion of the several states (even including the state of Pennsylvania) that, upon principle, independent of authority, it was a wise, and necessary amendment to the federal constitution, to provide "that in suits at common law, where the value in controversy should exceed *twenty dollars*, the right of trial by jury shall be preserved." *Amendments, article 9.* But with respect to the objection to the constitutionality of the bill, it is incumbent on me to speak, with diffidence, (a diffidence which I am persuaded you gentlemen, will partake) when I recollect that the same question has been in part debated in the supreme court, and will probably soon receive a judicial and authoritative determination.

2dly. Because the bill is impolitic.—In the judicial department of government, every avenue to corruption should be closed, every disposition to tyranny should be controled, every infirmity of ignorance or folly should be corrected, and in short, every step in the administration of justice should be taken in the public view, and be liable to public animadversion, and uniformity in decisions should be preserved. But the bill under consideration would perpetuate and countenance the enlargement of the jurisdiction of individual magistrates, scattered over the territory of the state, without any useful publicity, or real responsibility attached to their situation or their conduct. The inevitable effect must be a scene of partiality on the one hand, and of oppression on the other; until by the inducements of favour, or the impulse of fear, every neighbourhood shall be reduced to the condition of vassalage, and the subordinate magistrates will be enabled through the medium of influence, and elections, to dictate to the legislative, and to overawe the executive department of the state; and similar cases will be determined very differently, when many hundred individual magistrates are to give the rule. To repeat the language of a very celebrated commentator, we shall sarally experience that "these new tribunals, erected for the decision of facts without the intervention of a jury, are steps towards the establishing an aristocracy, the most oppressive of absolute governments," unless taking advantage of the admonition of the same enlightened author, we feel that "it is above all a duty which every man owes to his country, his friends, his posterity and himself, to guard with the most zealous circumspection against the introduction of new and arbitrary methods of trial, which under a variety of pretences, may in time imperceptibly undermine the trial by jury, the best preservative of liberty."

3dly. Because the bill has an oppressive and pernicious tendency. The emoluments of a Justice must depend upon the patronage of the wealthy, or the litigious part of the community.—Calculating, therefore, upon the natural imperfections of the human character, the temptations to oppress the poor, the helpless, and the tranquil, will be almost irresistible, nor can any means be suggested to avert the evil, while the transaction passes in the private room of justice's houses; and particularly if the aid of counsel (as once was contemplated) should be denied. Whatever may be the perversion of facts, whatever may be the distortion of law, little consolation can be derived from the mere right of appeal, since the accumulation of costs could hardly be sustained by a *poor man*.

THOMAS M'KEAN.

Lancaster, Dec. 8, 1803.

ROBERT WHITEHILL, Esquire has been re-elected Speaker of the Senate of Pennsylvania, and SIMON SNYDER, Esq. Speaker of the House of Representatives.

As our letter, written on Thursday evening, contains no information respecting the governor's address to the two Houses, we are induced to believe it had not then been delivered.

Valuable Land for Sale.

The executors of the last will and testament of Anthony Holmead deceased, will sell at private sale about forty acres of Land adjoining the city of Washington at the northern extremity of 20th street west. This land is generally allowed to be one of the handsomest situations near the city, having a beautiful prospect of nearly the whole of the city of Washington, Alexandria and George Town, and any person inclinable to purchase this valuable property, will be shewn the land, and know the terms by application to the subscriber near the premises.

JOHN HOLMEAD.

November 11—wtf